THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.24569 of 2005

Date: 17.11.2005

Between:

T.Satyanarayana and others

.. PETITIONERS

AND

The Regional Manager, APSRTC and others.

.. RESPONDENTS

ORDER:

The A.P.S.R.T.C. issued an advertisement on 16.11.2004 inviting applications for the post of Drivers in Guntur Region. It was indicated that the selected candidates would be initially engaged on casual basis and thereafter, they would be absorbed as regular employees. The petitioners contend that they applied in response to the said advertisement and that they have been selected as Drivers. They also contend that on account of pendency of a Writ Petition in this Court, the issuance of their orders of appointment was delayed, and that they came to be appointed in the recent past. Their grievance is that they have been issued orders of appointment on contract basis, contrary to the advertisement. It is also alleged that some of the candidates, who have been selected along with them, have been initially issued orders engaging them on casual basis.

Heard the learned counsel for the petitioners and the learned Standing Counsel for the Corporation.

A perusal of the advertisement, dated 16.11.2004, discloses that the Corporation intended to engage the selected candidates initially on casual basis and indicated that the employees so engaged would be absorbed as regular employees at a subsequent stage. It is not in dispute that the petitioners responded to the advertisement and were selected. The fact that there was delay in issuance of orders of appointment does not relieve the Corporation from its obligation to engage the petitioners on casual basis and thereafter, to absorb them on regular basis, depending on the availability of vacancies. It is true that by taking a policy decision, the Corporation can bring about a new situation, which accords with law. If they have appointed some of the selected candidates in pursuance of the advertisement dated 16.11.2004 or similar advertisements issued by other Regions; on casual basis, the petitioners cannot be accorded the discriminatory treatment.

For the foregoing reasons, the Writ Petition is disposed of, directing that in case any employees, who were selected in pursuance of the advertisement, dated 16.11.2004, were engaged on casual basis, the petitioners shall also be accorded the same benefit. There shall be no order as to costs.

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17.11.2005

kdl